

INVITATION, ACCEPTANCE AND SALE CONTRACT
AMERICAN MISSION INVITATION NO. SGR100-08-B-002
ADMINISTRATIVE SECTION SALE CONTRACT NO.
ATHENS, GREECE.

DATE: MARCH 3, 2008

I N V I T A T I O N

SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED IN THIS INVITATION, THE ITEMS INCLUDED IN THE LISTS ATTACHED HERETO AND MADE A PART HEREOF AS ANNEX "A" WILL BE SOLD DURING AN AUCTION SALE WHICH WILL BE CONDUCTED AT METAMORFOSI AREA, **ON MARCH 20, 2008, STARTING AT 12:00 HOURS.**

ANNEX "A" - DUTY FREE ITEMS

ANNEX "B" – DUTIABLE ITEMS (TAXES AND V.A.T., ARE NOT INCLUDED IN THE BIDDING FINAL PRICE. THE PERCENTAGE OF THE TAXES AND V.A.T., SHOULD BE PAYED TO THE GREEK FINANCIAL AUTHORITIES, SEPARATELY BY EACH SUCCESFULL BIDDER FOR EACH LOT).

FOR ANY INFORMATION CONCERNING THIS AUCTION, INTERESTED BIDDERS MAY CALL TO THE AMERICAN EMBASSY, PROPERTY OFFICE.

CONDITIONS AND PROVISIONS OF THE AUCTION

A. INSPECTION - LOCATION OF THE WAREHOUSE AND TIMES OF INSPECTION

1. THE ITEMS ARE AVAILABLE FOR INSPECTION IN THE FOLLOWING LOCATION AND CAN BE INSPECTED AS FOLLOWS:

ADDRESS: 4 TATOIOU STR., METAMORFOSI, CLOSE TO MARBLE WORKSHOP "PSOFAKIS", **ON TUESDAY & WEDNESDAY, MARCH 18 & 19 FROM 12:00 UNTIL 15:00 AND THURSDAY, MARCH 20, 2008, FROM 10:00 TO 12:00 HOURS.** PLEASE REFER TO THE OPENING PARAGRAPH, ABOVE, INVITATION, WHICH CONTAINS INFORMATION ON HOW TO LOCATE THE ADDRESS.

2. THE BIDDERS ARE INVITED, URGED, AND CAUTIONED TO INSPECT THE PROPERTY TO BE SOLD PRIOR TO MAKING AN OFFER. PROPERTY WILL BE AVAILABLE FOR INSPECTION AT THE LOCATIONS AND TIMES SPECIFIED IN THE PRECEEDING PARAGRAPH. IN NO CASE WILL FAILURE TO INSPECT CONSTITUTE GROUNDS FOR A CLAIM OR WITHDRAWAL OF AN OFFER.

3. **"THE PROPERTY IS SOLD AS IS"**. THE UNITED STATES GOVERNMENT

MAKES NO GUARANTEE, WARRANTY, OR REPRESENTATION, EXPRESS OR IMPLIED, AS TO THE QUALITY, KIND, CHARACTER, SIZE, DESCRIPTION OR CONDITION OF ANY OF THE PROPERTY OR ITS FITNESS FOR ANY USE OR PURPOSE. THIS SALE IS FINAL.

B. CONDUCT OF AUCTION

1. ON THE DAY OF THE AUCTION, BIDDERS WILL BE ADMITTED TO THE AUCTION SITE AT 4 TATOIOU STR., METAMORFOSI, BEGINNING AT 1200 HOURS FOR REGISTRATION AND FINAL VIEWING OF LOTS LOCATED IN THE SITE. ALL BIDDERS MUST BRING APPROPRIATE IDENTIFICATION (GREEK I.D. CARD OR PASSPORT) FOR REGISTRATION.

BIDDERS WILL BE REGISTERED BY NAME, ADDRESS AND TELEPHONE NUMBER. THEY WILL BE GIVEN A CARD WITH A LARGE, EASILY READABLE NUMBER ON IT AND A COPY OF THE BID LIST. THE NUMBER FROM THE CARD WILL BE INSCRIBED ON THE REGISTRATION SHEET SO THAT THE BIDDERS CAN BE IDENTIFIED BY NUMBER.

2. THE AUCTION WILL BEGIN AT **12:00** HOURS ON **MARCH 20, 2008**,

AND CONTINUE UNTIL ALL OF THE LOTS HAVE BEEN BROUGHT TO BID. THE AUCTIONEER WILL GO THROUGH THE LOTS BY NUMBER AND CALL OUT THE NUMBER IN ENGLISH AND GREEK. HE WILL START THE BIDDING AT A PREDETERMINED MINIMUM PRICE. ALL BIDS ARE TO BE IN **EURO**. BIDDERS WILL BE INSTRUCTED TO HOLD UP THEIR CARDS IF THEY ARE WILLING TO PAY THE PRICE CURRENTLY UNDER CONSIDERATION. THE AUCTIONEER WILL INCREASE THE PRICE DEPENDING ON THE BIDDERS' OFFERS. AT EACH LEVEL THE BIDDERS NOT WILLING TO PAY THAT PRICE WILL LOWER THEIR CARDS. THE FOLLOWING ARE POSSIBLE OUTCOMES OF THE BIDDING CYCLE FOR AN INDIVIDUAL ITEM.

(A). WHEN ONLY ONE CARD IS LEFT UP, A WARNING IS GIVEN TO ALLOW ANYONE ELSE A LAST CHANCE TO RETURN TO THE BIDDING. IF NO ONE ELSE HOLDS HIS CARD UP, THE REMAINING BIDDER IS DECLARED THE WINNER AND THE PRICE IS AGAIN RESTATED FOR THE INFORMATION OF ALL.

(B). IF ALL REMAINING BIDDERS TAKE THEIR CARDS DOWN AT THE SAME TIME, THE AUCTIONEER WILL RETURN TO THE LAST BID, ASK THOSE WILLING TO PAY THAT AMOUNT TO HOLD THEIR CARDS UP AGAIN, AND GO FORWARD AGAIN AT A SMALLER INCREMENT UNTIL ONE BIDDER IS DECLARED THE WINNER.

(C). IF ONLY ONE BIDDER HOLDS HIS CARD UP AT THE BEGINNING OF THE BID FOR A SINGLE LOT, A WARNING IS GIVEN AND HE IS DECLARED THE WINNER.

(D). IF NO BIDDERS HOLD UP THEIR CARDS AT THE BEGINNING OF THE BID (THAT IS NO ONE IS WILLING TO PAY THE MINIMUM PRICE), THE AUCTIONEER WILL ISSUE A WARNING AND PASS ON TO THE NEXT ITEM.

3. WHEN THE WINNER IS DECLARED FOR EACH ITEM, THE NUMBER OF THE SUCCESSFUL BIDDER AND THE PRICE BID, WILL BE RECORDED BY TWO EMBASSY EMPLOYEES. ONE EMPLOYEE WILL NOTE THE FOLLOWING INFORMATION ON A MASTER COPY OF THE BID LIST AND THE OTHER WILL

NOTE THE SAME INFORMATION ON A RECEIPT FORM, IN TRIPLICATE, THAT HAS BEEN PRE-NUMBERED WITH THE LOT NUMBER-

(A) SUCCESSFUL BIDDER NUMBER

(B) PRICE BID

C. PAYMENT

WHEN THE AUCTION IS COMPLETED OR THE BIDDER DESIRES TO LEAVE, HE/SHE MAY COLLECT HIS RECEIPT SLIPS FROM THE EMPLOYEE RECORDING THE SLIPS. THE BIDDER TAKES THE SLIPS TO THE GOVERNMENT CASHIER AND PAYS THE TOTAL. PAYMENT WILL ONLY BE ACCEPTED IN THE FORM OF CASH IN EURO, OR A CHECK ISSUED BY A GREEK BANK PAYABLE TO THE ORDER OF THE AMERICAN EMBASSY, ATHENS AND DRAWN AT THE CENTRAL BRANCH OF ATHENS. NO COINS, PERSONAL CHECKS OR ANY OTHER METHOD OF PAYMENT WILL BE ACCEPTED. ALL FOUR COPIES OF THE RECEIPT, ARE STAMPED BY THE CASHIER AS HAVING BEEN PAID AND TWO COPIES ARE RETURNED TO THE BIDDER. ALL SALES MUST BE PAID IN FULL ON THE AUCTION DATE.

D. DOCUMENTATION

AFTER THE AUCTION DATE, BIDDERS MAY PICK UP ADDITIONAL SALE DOCUMENTATION FROM THE PROPERTY OFFICE OF THE EMBASSY, TELEPHONE No. 210.720.23.83-4, THREE DAYS IN ADVANCE.

E. DELIVERY

1. THE PROPERTY IS SOLD **"WHERE IS"**. DELIVERY AND TRANSPORTATION OF THE PROPERTY AWAY FROM THE WAREHOUSE SHALL BE ACCOMPLISHED BY THE PURCHASER AT HIS EXPENSE.

2. AFTER PAYMENT IS MADE IN FULL, BIDDERS ARE EXPECTED TO PICK UP ITEMS THE DAY OF THE AUCTION AND FOR THE NEXT SEVEN DAYS. BIDDERS MUST CALL THE PROPERTY OFFICE, ONE OR TWO DAYS IN ADVANCE FOR AN APPOINTMENT TO PICK UP THE ITEMS.

3. THE WAREHOUSEMAN WHO DELIVERS THE ITEMS AWARDED DURING THE AUCTION WILL MARK THE RECEIPT "DELIVERED", INCLUDE THE DATE AND SIGN IT. HE WILL KEEP ONE COPY AND GIVE THE ORIGINAL TO THE BIDDER. THE RECEIPTS MAY BE VERIFIED BY THE GUARD AS THE BIDDER LEAVES THE WAREHOUSE COMPOUND TRANSPORTING THE ITEMS AWARDED TO HIM.

4. ALL ITEMS MUST BE REMOVED FROM THE WAREHOUSE, AT THE EXPENSE OF THE SUCCESSFUL BIDDER, NOT LATER THAN **MARCH 28, 2008**. IF NOT REMOVED WITHIN THIS TIME LIMIT, THE UNITED STATES GOVERNMENT WILL CHARGE THE BIDDER A STORAGE FEE **10 EURO**, PER CUBIC METER OR FRACTION THEREOF OF SPACE OCCUPIED BY THE ITEMS FOR EVERY THREE (3) CALENDAR DAYS OF DELAY IN REMOVING ALL ITEMS FROM THE WAREHOUSE. IT IS NOTED THAT THE ITEMS WILL BE DELIVERED TO THE BIDDER ONLY AFTER THE STORAGE SURCHARGE IS COLLECTED BY THE EMBASSY. IF THE PROPERTY IS NOT REMOVED WITHIN THE TIME LIMIT

SPECIFIED ABOVE, THE UNITED STATES GOVERNMENT RETAINS THE RIGHT TO INCLUDE IT DURING THE NEXT PROPERTY SALE AT WHICH TIME THE STORAGE FEES DUE BY THE BIDDER WILL BE WITHHELD BY THE GOVERNMENT AND THE BALANCE, IF ANY, FROM THE FULL PAYMENT RECEIVED FROM THE BIDDER UNDER THE BID AUCTION WILL BE RETURNED BY THE GOVERNMENT TO THE BIDDER.

F. TITLE AND RESPONSIBILITY

1. TITLE TO THE ITEMS OF PROPERTY SOLD UNDER THIS AUCTION SHALL VEST IN THE PURCHASER AS AND WHEN FULL PAYMENT IS MADE HEREUNDER.
2. THE BIDDER ASSUMES ALL RESPONSIBILITY AND LIABILITY FOR THE PROPERTY AWARDED TO HIM AFTER THE DATE OF THE GOVERNMENT'S ACCEPTANCE OF HIS OFFER AND COLLECTION OF SALE PRICE. THE GOVERNMENT SHALL EXERCISE ITS USUAL CARE FOR PROTECTION OF THE PROPERTY UP TO THE TIME OF REMOVAL BUT WILL NOT BE RESPONSIBLE FOR ANY LOSS OR DAMAGE FROM ANY CAUSE WHATSOEVER.

G. GENERAL

1. THE AUCTION WILL BE CONDUCTED UNDER THE SUPERVISION OF THE PROPERTY DISPOSAL OFFICER, AMERICAN EMBASSY, ATHENS, A DULY APPOINTED SUCCESSOR OR A DULY AUTHORIZED REPRESENTATIVE, WHO RESERVES THE RIGHT TO REJECT ANY OR ALL OFFERS FOR ANY OF THE ITEMS SOLD AND OR WITHDRAW FROM THE SALE ANY ITEMS LISTED IN THE

ATTACHED ANNEX AS DEEMED BEST FOR THE INTERESTS OF THE UNITED STATES GOVERNMENT.

2. THE AUCTION SALE WILL BE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN THIS INVITATION AND PROVISIONS.
3. NO OFFERS FOR ANY OF THE LOTS INCLUDED IN THE BID LIST WILL BE ACCEPTED PRIOR TO THE AUCTION DATE AND HOUR.
4. ANY ORAL STATEMENT OR REPRESENTATION BY ANY REPRESENTATIVE OF THE GOVERNMENT CHANGING OR SUPPLEMENTING THIS INVITATION OR ANY CONDITION THEREOF IS UNAUTHORIZED AND SHALL CONFER NO RIGHT UPON THE BIDDER.
5. THE BIDDER WARRANTS THAT NO PERSON OR AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE THIS CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE, OR CONTINGENT FEE, EXCEPTING BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL AGENCIES MAINTAINED BY THE BIDDERS FOR THE PURPOSE OF DOING BUSINESS. FOR BREACH OF THIS WARRANTY, THE GOVERNMENT SHALL HAVE THE RIGHT TO ANNUL THIS SALE WITHOUT LIABILITY, OR, AT ITS OPTION, TO RECOVER FROM THE BIDDER THE AMOUNT OF SUCH COMMISSION, PERCENTAGE, BROKERAGE, OR CONTINGENT FEE, IN ADDITION TO THE CONSIDERATION HEREIN SET FORTH.
6. NO MEMBER OF/OR DELEGATE TO CONGRESS OR RESIDENT

COMMISSIONER SHALL BE ADMITTED TO ANY SHARE OR PART OF THIS CONTRACT, OR TO ANY BENEFIT THAT MAY ARISE THERE FROM UNLESS IT BE MADE WITH A CORPORATION FOR ITS GENERAL BENEFIT.

7. EXCEPT AS OTHERWISE PROVIDED IN THIS INVITATION, ANY DISPUTE CONCERNING A QUESTION OF FACT ARISING UNDER THIS SALE WHICH IS NOT DISPOSED OF BY AGREEMENT SHALL BE DECIDED BY THE PROPERTY DISPOSAL OFFICER, WHO SHALL REDUCE HIS DECISION TO WRITING AND MAIL OR OTHERWISE FURNISH A COPY THEREOF TO THE BIDDER. THE DECISION OF THE PROPERTY DISPOSAL OFFICER SHALL BE FINAL AND CONCLUSIVE UNLESS, WITHIN THIRTY (30) DAYS FROM THE DATE OF RECEIPT OF SUCH COPY, THE BIDDER MAILED OR OTHERWISE FURNISHES TO THE PROPERTY DISPOSAL OFFICER A WRITTEN APPEAL ADDRESSED TO THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA. THE DECISION OF THE SECRETARY OF STATE OR HIS DULY AUTHORIZED REPRESENTATIVE FOR THE DETERMINATION OF SUCH APPEALS SHALL BE FINAL AND CONCLUSIVE UNLESS DETERMINED TO HAVE BEEN FRAUDULENT OR CAPRICIOUS, OR ARBITRARY, OR SO GROSSLY ERRONEOUS AS TO

NECESSARILY IMPLY BAD FAITH, OR NOT SUPPORTED BY SUBSTANTIAL EVIDENCE. IN CONNECTION WITH ANY APPEAL PROCEEDING UNDER THIS CLAUSE, THE BIDDER SHALL BE AFFORDED AN OPPORTUNITY TO BE HEARD AND TO OFFER EVIDENCE IN SUPPORT OF HIS APPEAL. PENDING FINAL DECISION OF A DISPUTE HEREUNDER, THE BIDDER SHALL DILIGENTLY PROCEED WITH THE IMPLEMENTATION OF THE SALE AND IN ACCORDANCE WITH THE PROPERTY DISPOSAL OFFICER'S DECISION.

8. THE IMPORTATION INTO THE UNITED STATES OF AMERICA OF THE ITEMS SOLD UNDER THIS AUCTION, IS NOT PERMITTED. THE BIDDER UNDERSTANDS THAT HE WILL NOT SELL THEM TO ANY PERSON OR BUSINESS FIRM LOCALLY WITH THE INTENT OF EXPORTING THEM TO THE UNITED STATES OF AMERICA.

9. ALL PARTICIPANTS IN THIS SALE MUST AGREE TO THE TERMS AND CONDITIONS, OF THIS INVITATION.

10. THE ENGLISH LANGUAGE VERSION OF THIS INVITATION AND PROVISIONS, IS THE OFFICIAL ONE AND SHALL ALWAYS GOVERN.

SIGNATURE: _____

ANNE BAKER,
PROPERTY DISPOSAL OFFICER

DATE: MARCH 3, 2008